

REMARKS

The Examiner's action dated January 3, 2005, has been received, and its contents carefully noted.

In response to the objection to the Abstract, submitted herewith is a replacement Abstract from which legal phraseology has been removed. With regard to the Examiner's comment that the Abstract "reads like a claim" undersigned is not aware of any PTO requirement that an Abstract not "read like claim", whatever that may mean. In view of the submission of the replacement Abstract, it is requested that this objection be reconsidered and withdrawn.

The objection to claim 7, presented in Section 2 of the Office Action is respectfully traversed. Please note that proper antecedent basis for the recitation in question will be found at page 3, lines 23-24 of the specification. The description at page 11, lines 26-30 relates to a specific embodiment.

The rejection of the pending claims under 35 USC 102(a) as being anticipated by EP 1,006,751 is respectfully traversed.

It is submitted that the problem solved by the present application is distinctly different from that

addressed by the '751 reference, and that, in fact, the '751 teaches away from the present invention.

The idea underlying the flow control scheme disclosed in the 751 reference is that in order to control the flow of frame based data transmitted from local frame base channel interfaces over a synchronous network, the frame based data is received in a buffer configured to receive data transmitted through the various interfaces, and once a pre-defined threshold of the buffer is reached, a pause frame is generated. The data received for transmission over the synchronous network originates from a plurality of sources, "Switch 103 is ...Ethernet switch comprising a plurality of local Ethernet ports 401, 402 and 403 ...Switch 103 is configurable to enable connection to be made with multiplexer 100 which in turn may communicate with synchronized digital link 102. Thus, switch 103 has a port 404 for receiving information derived from link 102 and a port 405 configurable for transmitting information across link 102". (col. 12 lines 25-34).

In other words, the control is effected upon traffic received from various sources, and when there is no pause signal generated, the arriving data would be "loaded" onto the virtual containers of the synchronous network.

In contradistinction, the present invention provides a solution whereby the traffic received from each of the various sources (clients) is handled independently of the other sources and is in accordance with the Service Level Agreements ("SLA") signed with the different clients. Thus, according to the present invention, a pause signal is generated in accordance with the bandwidth allocated for each client i.e. the aggregate rate enabled by the K memory containers that are reserved for each client in accordance with his SLA, and therefore the use of the buffer described by the '751 reference would not enable different handling of each of the clients.

Consequently, according to the '751 disclosure the traffic of a client that has a higher level SLA than the next one would be subjected to the same pause signals as the client with the lower level SLA.

Thus, each of independent claims 1, 7 and 13 distinguishes over the applied reference at least by the recitation:

said pause signal being generated in accordance with a service-level agreement (SLA) determining an output rate, or said output rate in amended claim 13).

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Further, in order to better distinguish this feature of the present invention over the cited publication, claims 1, 7 and 13 have been amended by addition of the limitation: "wherein each memory container enables a given rate and the output rate is one of a plurality of discrete rates and is equal to the given rate multiplied by K". Support for this amendment may be found at page 11, lines 6 to 17 of the specification.

It is therefore submitted that all of the independent claims now clearly distinguish over the applied reference and it is therefore requested that the prior art rejection of claims 1-14 be reconsidered and withdrawn, that claims 1-14 be allowed and that the Application be found in allowable condition.

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If the above amendment should not now place the application in condition for allowance, the Examiner is invited to call undersigned counsel to resolve any remaining issues.

Respectfully submitted,

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